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ACTION PLAN – Report on an inspection visit to court custody facilities**CLUSTER: London north, north east and west**

TIMETABLE	DATE
Date of inspection	29 May – 6 June 2017
Report published	6 October 2017
Action Plan Submitted	20 December 2017

POSITION AS AT: December 2017

Rec. no	Recommendation	Accept / reject	Response / action taken or planned	Action owner	Update / target date for completion
6.1	Adequate staff should always be deployed in court custody to ensure that all necessary duties can be undertaken and that detainees are looked after and kept safe at all times. (2.44)	Accepted	<p>Serco are contracted to provide staff at court as per the contract profile. Where issues arise e.g. a number of multi hander cases being dealt with, this places a strain on staff resources as Serco are contracted to one Prison Custody Officer (PCO) per dock. Multi hander risk assessments routinely sees this being increased to two or more PCOs per dock, dependent on the risk presented. Where required, additional staff resource is provided by means of deploying vehicles staff.</p> <p>During 2016, Serco conducted a modelling exercise to determine the number of staff required at each location - a programme named Work Force Management (WFM). This is a demand led approach, based on historical prisoner volumes, contractual requirements and the physical layout of each location. Once demand profiles have been baselined, work schedules are built and staff are rostered. Serco will review the demand profile on a quarterly basis, this will in turn enable a more focused provision of staff through the Serco PECS recruitment plan, should this be identified.</p> <p>Serco will maintain a minimum staffing level at all court locations, by exception there may be occasions where this cannot be achieved at which a review of the required roles within the court will be carried out to ascertain which tasks may be temporarily suspended until additional resources can be sourced.</p> <p>A separate action plan is in place to monitor staffing levels at Blackfriars, Inner London, Croydon and Woolwich Crown Courts.</p>	Serco and PECS	Action closed - Serco have run a workforce modernisation process to ensure minimum staffing levels are adhered to.
6.2	HMCTS, PECS and the escort and custody contractor should investigate the reasons for prolonged periods that	Partially accepted	We are currently reviewing our Returns Process; this project is being led by the Serco Operational Control Centre (OCC) and the Process Improvement Team. Serco have reviewed the system used to plan returns, this has resulted in approval for investment to an upgrade to	HMCTS/Serco/PECS	Ongoing action - HMCTS are working with the judiciary and listing teams to review arrangements for

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	<p>detainees, including children, spend in court custody cells. Measures should be put in place to ensure detainees have their cases prioritised where possible and are transferred and released without delay. (2.45)</p>		<p>the relevant software/planning tools. Serco work closely with HMCTS and provide them with regular reports concerning late court sittings and late warrant turnaround times. Serco are contractually obliged to ensure prisoners are delivered to all courts by 0930hrs each day (DRAFT) regardless of the time they are due in court. HMCTS seek to prioritise the listing of those held in custody wherever possible. Listing is a judicial function, and expedition is dependent on a number of factors and so may not always be possible in all circumstances. The introduction of digital warrants is designed to improve the process of moving custodies out of the court environment to the appropriate prison establishment as quickly as possible/practicable. The roll-out of the new process is actioned with HMCTS sending the digital warrants to the prison functional mail boxes, SERCO are actively ensuring that this process is running smoothly, the outcome in measuring the effectiveness is that where prisoners are not delayed in court following the hearing of the case. Initially Magistrates Courts in London will adopt the new process (throughout September & October) - it is vital that all stakeholders embrace the new process, which is designed to improve the overall end to end process and to ensure that the custodies are taken to the relevant HMP as quickly as possible, focusing on their safety and wellbeing.</p>		<p>managing these cases on the day to ensure custody cases are prioritised. A review of the flow of work is being conducted by a Deputy Justices' Clerk and HMCTS Operations Manager for London to establish best practice.</p>
6.3	<p>Measures to identify and manage detainees' risks should be applied consistently. Staff should complete a standard risk assessment for each detainee. Cell-sharing risk assessments should be completed for all detainees before they share a cell. Set levels of observation should be adhered to. (2.46)</p>	Accepted	<p>The Person Escort Record (PER) is the authoritative document that enables the escort contractors' staff to manage the identified risk of detainees from either the prison or police custody. Accurate completion of the PER by the prison and police will provide the escort contractor with the ability to complete a thorough risk assessment. Incorrectly completed PERs are a focus of Serco and PECS with the recent introduction of the 'Poorly Completed PER Project' initiated by PECS. Both PECS contractors collate the information relating to all incomplete PERs which is forwarded to PECS for further distribution to prisons and police. This is developing as an evidence based approach challenging discharging sites directly to increase the quality of PER completion.</p> <p>The escort contractors complete a Cell Sharing Risk Assessment (CSRA) to mitigate and manage the perceived risk by individuals. The CSRA is completed at court when detainees are required to share cells. All staff will be reminded of the requirement to ensure a CSRA is completed prior to the prisoner being placed in the cell and that observation levels used to check detainee welfare are adhered to. This was circulated in weekly briefing sheet (WBS) dated 23 August 2017.</p>	Serco and PECS	<p>Action completed – WBS circulated August 2017</p>
6.4	<p>Release planning and arrangements should be improved to ensure all</p>	Accepted	<p>All Serco Court Custody Managers (CCMs) will be reminded of the need to complete the pre-release risk assessment to ensure that where no external agency will be supporting the detainee, the CCM</p>	Serco and PECS	<p>Action completed – WBS circulated September 2017</p>

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	d detainees, particularly the most vulnerable, are able to get home safely. (2.47)		<p>can determine whether the detainee has persons in the community likely to be supportive, and whether the detainee is content for them to be contacted, for example, friends and family, GP, the Community Mental Health Team or the Community Drugs Service. The CCM will also ensure that when presenting the pre-release information sheet, detainees understand which agencies can offer support. All of these outcomes will be recorded on the pre-release checklist. Briefing to take place at the next CCM meetings.</p> <p>Detainees who are released from Serco courts receive money or travel warrants to ensure they can get home safely, or any leaflets outlining where they can go for support. This will be re-enforced to all CCMs, to ensure those released where a main line train station is not nearby, in order to execute the rail warrant, are provided with the means to access public transport to assist in their journey to a main line station. An instruction to this effect was placed in the WBS dated 20th September 2017.</p> <p>Serco Operations Managers will embed and develop enhanced focus of delivery of this action point. Operations Managers will monitor usage in this area on all their monthly visits to their courts.</p>		
6.5	Handcuffs should only be used if justified and proportionate. (2.48)	Accepted	<p>The PECS escort contractors have procedures in place that identify the level of handcuffing required, taking into account appropriateness and their contractual responsibility to prevent escapes, and control custody suites.</p> <p>These procedures are informed by HMPPS National Security Framework policy and are tailored to reflect the physical design of each custody suite. Handcuff use is based upon the risk of escape i.e. due to the levels of physical security at court and the extent of risk information that custody staff have on the specific individual.</p> <p>However, Serco plan to undertake a review of risk assessment procedures during quarter 4 of 2017.</p>	Serco and PECS	Achieved through existing practices. Risk procedures to be reviewed by Serco in early 2018.
6.6	The court custody environment should be improved. Outstanding repairs across the court custody suites should be completed as a matter of urgency. All offensive graffiti should be removed immediately. The current cleaning regime should be significantly improved to ensure that all cells, toilets and communal areas are	Accepted	<p>As part of the existing Standard Operating Procedure (SOP), daily opening and closing checks are conducted by the contractor to identify inadequacies within the custody area. All issues are escalated via internal reporting to HMCTS. Each location maintains a Defect Reporting System which includes both cleaning and maintenance issues. All items of graffiti that are deemed to be offensive are reported immediately and action taken to address e.g. taking the cell out of use until the graffiti is removed. HMCTS Operations Managers will embed and develop enhanced focus of delivery of this action point. Operations Managers will check the Defect Reporting System to ensure appropriate action is being taken on all their monthly visits</p>	HMCTS	Ongoing action - to be reviewed monthly

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	cleaned every day to an acceptable standard. (2.49)		<p>to their courts. Where it is observed that there are outstanding defects, these will be escalated to the local HMCTS management.</p> <p>HMCTS have recently appointed Building Champions across all sites in England and Wales. Building Champions will have authority to execute minor works without referral to the help desk process, this will include the fast-tracking of graffiti removal.</p> <p>HMCTS and Serco have agreed a joint weekly inspection and monthly meetings to review progress and issues.</p>		
6.7	There should be an HMCTS safeguarding policy, and all staff should be made aware of safeguarding procedures and referral mechanisms for children and adults at risk. (3.16)	Partially accepted	<p>HMCTS is reviewing its processes and procedures that relate to safeguarding, and whether a separate national safeguarding protocol is the most appropriate way forward. The review will include the safeguarding protocols the police and Prison Service have in place, and the remit and roll out of the NHS England's Liaison and Diversion scheme.</p>	HMCTS	<p>Ongoing action - A task and finish group has been formed to consider the recommendation and explore whether a separate safeguarding policy for HMCTS is practical, proportionate and reflects the role and obligations of others operating within the criminal justice system.</p> <p>An update will be provided to HMIP by February 2018</p>
6.8	Conditions, including the environment, provision of activities and support offered on release, should be improved for detainees held in the IACs. (3.17)	Accepted	<p>Court Welfare boxes are carried by the Tascor escorting crew, these contain a range of enhanced food and drink options. Magazines are provided in the detainee suite at Hatton Cross IAC and the television has been repaired. Tascor have developed a Release Support Booklet which is issued to detainees on release from short term holding facilities.</p>	Tascor	Achieved through existing practices
6.9	All detainees should be informed of their rights while in court custody in a language and format they understand. (4.14)	Accepted	<p>CCMs will be briefed on the requirement to ensure the Prisoners' Rights Leaflets are placed in all cells and when locating a prisoner into the cell this will be pointed out to them. Additionally, CCMs will be reminded that during the reception process, should they identify a language difficulty they are to access the appropriate language leaflet.</p> <p>This was placed in WBS dated 6th September 2017. Serco Operations Managers will embed and develop enhanced focus of delivery of this action point. Operations Managers on all their monthly visits to their courts will be required to monitor delivery of the action point.</p>	Serco	Action completed – WBS circulated September 2017

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6.10	HMCTS should ensure all interview rooms are in an appropriate location and are soundproofed to ensure confidentiality. (4.15)	Partially accepted	HMCTS will arrange for any rooms not sound proofed to the recommended standards to be addressed. Scoping work for two additional interview rooms at Highbury Corner has taken place.	HMCTS	Ongoing action – to be monitored by HMCTS and reviewed early 2018
6.11	Telephone interpreting services should be used as necessary to check on the welfare of foreign national detainees and to ensure their risks are appropriately managed and they understand what is happening to them. (4.16)	Accepted	<p>All staff will be reminded via the WBS dated 30 August 2017 to ensure they utilise the translation service in order to check on the welfare of foreign national detainees.</p> <p>Serco are generating a new Standard Operating Procedure that will provide a more robust audit process for the usage of this facility. Operations Managers will be required to monitor usage on all their monthly visits to their courts.</p>	Serco	Action completed – WBS circulated August 2017
6.12	All detainees should be informed of the complaints process. (4.17)	Accepted	<p>Where a detainee wishes to complain to Serco, every effort will be made to resolve the issue informally in the first instance. To further ensure that all detainees have information and the opportunity to submit a complaint, Serco will ensure that information around the complaints process is included with the Prisoner Rights Leaflet which is placed in every cell prior to the detainee's arrival. Staff have been reminded of this via the WBS dated 6 September 2017.</p> <p>Serco Operations Managers will embed and develop enhanced focus of delivery of this action point. Operations Managers will be required to monitor delivery of the action point on all their monthly visits to their courts.</p>	Serco	Action completed – WBS circulated September 2017
6.13	Cellular vehicles should be free of graffiti and men, women and children should be transported in separate escort vehicles. (5.15)	Rejected	<p>The PECS contract commenced in August 2011 with the contractor's fleet of escort vehicles being either new or fully refurbished. Escort contractor vehicles are subject to maintenance and cleaning schedule carried out by the vehicle base. Any vehicles that are soiled during a journey will be cleaned that day and any damage and graffiti rectified. Any cells with graffiti that is of a racist, sexual or homophobic nature will be taken out of commission until rectified. All of the contractor's vehicles are subject to daily checks and further contractor management supervision. Both Lay Observers and PECS Contract Delivery Managers (CDMs) frequently check the contractor's vehicles for cleanliness.</p> <p>The current PECS contract allows for male and female detainees and young people to be transported on the same escort vehicle. This has been achieved by introducing a flexible fleet configuration allowing physical separation on board, where previously separate vehicles would have been used. The use of such hybrid vehicles provides a</p>	Serco and PECS	Achieved through existing practices

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			<p>more responsive and flexible fleet, reducing waiting times at courts for detainees to be collected, and the environmental impact of using two vans in place of one. The contract allows for Females/Males/Young People to be escorted together with the use of the partition.</p> <p>The contract allows for a 3% tolerance on non-separation, this is closely monitored via reporting and reviewed in the Contract Operational Meeting (COM) structure. Use of escort vehicles with the ability to safely separate women, children and men are now an integral part of the current contract and have delivered significant financial benefits to the public finances.</p> <p>The introduction of these vehicles by both GEOAmey and Serco, has improved fleet efficiency and allows for a more flexible approach to the escorting of all detainees particularly during the return to prison phase. Effective supervision of the passenger area of the vehicles is achieved not just via partitioning but also by direct supervision of the area by a member of staff who travels in the rear of the vehicle to maintain supervision and safety of the passengers. Both contractors are within the 97% threshold of separation of detainees and contractually compliant. Since their introduction in 2011 PECS is unaware of a single significant incident arising from this policy change.</p>		
6.14	Suitable arrangements should be in place at all court custody facilities to ensure that the needs of detainees with disabilities can be met. (5.16)	Accepted	Serco will review the provision of braille and easy reading communications. Those courts with "Hearing Loops" will be provided with additional training in the use of such facilities.	Serco and PECS	Review by March 2018
6.15	All courts should have a stock of appropriate reading material, including some suitable for children and non-English speakers, which should be routinely offered to detainees. (5.17)	Partially accepted	<p>Under the current contract, Serco are not required to provide reading material. However, there is an expectation by PECS that reading material will be provided to detainees.</p> <p>Serco are working in partnership with Hertfordshire and Bedfordshire to introduce a book scheme at two court locations in the East of England initially (St. Albans Crown Court and Luton Crown Court). It is envisaged that this may be rolled out across the London estate if successful.</p> <p>Provision of appropriate age-related reading material is in scope for next generation of PECS contracts.</p>	Serco and PECS	Ongoing action, review early 2018
6.16	Kitchen areas within court custody should all be clean and properly maintained. (5.18)	Accepted	Serco report matters of maintenance & cleanliness through the defect reporting system to HMCTS, escalation of outstanding works are reported to HMCTS.	Serco and HMCTS	Ongoing action to be reviewed monthly

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			Serco will ensure the general cleanliness of the area is maintained, during working hours and when the kitchens are in use. Serco Operations Managers to embed and develop enhanced focus of delivery of all action points. Operations Managers will be required to monitor delivery of the action point on all their monthly visits to their courts		
6.17	Disposable water bottles should not be reused to store or serve water. (5.19)	Accepted	Serco will ensure that all staff are briefed through the WBS in relation to the requirement to remove all disposable water bottles. Disposable cups are available at all court locations.	Serco	Action completed
6.18	All custody staff should receive a comprehensive briefing at the start of duty focusing on risk management and the care of vulnerable detainees. (5.29)	Accepted	This is a contractual requirement, with all staff being briefed appropriately by the CCM of the day, regarding vulnerability and risk of all detainees - this includes shift changes and vehicle crews being utilised at court. All CCM's and DCCM's will be reminded of this during the CCM meetings in October/November. This instruction was included in the WBS dated 13th September 2017. Operations Managers will be required to monitor delivery of the action point on all their monthly visits to their courts.	Serco	Action completed – WBS circulated September 2017
6.19	Staff undertaking observations and cell visits should carry anti-ligature knives at all times. (5.30)	Accepted	PECS are reviewing the provision of Anti Ligature Knives looking to provide one for each PCO in the custody suite. PECS have reviewed the provision of Anti Ligature cut down knives and each PCO in both custody suites and vehicles will be issued with a knife.	PECS	Ongoing action – to be reviewed by March 2018
6.20	Custody staff should receive annual first aid refresher training to maintain their skills. They should have access to regularly checked equipment, including an AED. (5.48)	Rejected	Contractor staff are trained in first aid at work and resuscitation. Training is refreshed in line with legislative requirements. This is monitored by both HMPPS and the contractor, with internal processes in place to record the training.	Serco and PECS	Achieved through existing practices
6.21	PERs should identify detainees' health risks, while maintaining appropriate confidentiality. All inadequately completed PERs should be completed in full and captured on the incident reporting system. The information should be formally escalated to the sending prison or police force. (5.49)	Accepted	<p>Serco have a process in place that defines that at the point of discharge from establishment or the police, any PERs not completed to the required standard are refused.</p> <p>Any prisons or police stations identified as being non-compliant in this area have the matter escalated to them. If arrival at court any PER does not meet the required standard, the CCM is required to scan the PER to a centralised mailbox, with an accompanying email explaining exactly what is wrong with the PER.</p>	Serco and PECS	Ongoing action – quality of PERs under regular review by Serco and PECS

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			The PER information provided by Serco is distributed to the discharging sites by PECS. This information is used by PECS CDMs and Serco Managers to drive accurate PER completion as an evidence based approach during meeting and correspondence.		
6.22	Detainees should have prompt access to mental health services, including assessments and transfers to health facilities. (5.50)	Accepted	Serco triage and refer to Liaison and Diversion (L&D) teams where available within courts. HMCTS work in partnership with the NHS to support the provision of L&D services across courts in England and Wales.	Serco and HMCTS	Achieved through existing practices
6.23	Custody staff should have regular mental health and substance misuse awareness training. (5.51)	Accepted	<p>Serco have invested in having 8 staff qualified as mental health first aiders in the PECS contract which includes 6 full time training officers, a training manager and head of engagement and development. Mental health awareness training is rolled out to PCOs and substance awareness training is part of the initial training for all officers.</p> <p>The course will be used to enhance the current initial training courses and planned development training, which is due to be rolled out on 2 October 2017 with 40 sessions scheduled to include 400 current operational staff. The focus of the training will be about the first aid initial response, safeguarding, and care of any individual. We are providing a personal resource to all operational staff which will provide quick reference on the ALGEE (Approach Assess Assist, Listen non-judgementally, Give support and information, Encourage to get appropriate professional help, Encourage further support options e.g. family and friends) approach on initial awareness of any issue.</p> <p>There will be an additional resource issued to first line managers in the form of a guidance and reference booklet, this can be used for anyone in our care and also for line managers to assist with care of their workforce.</p>	Serco	Action completed

Recommendations	Total
Accepted	17
Accepted subject to resources or partially accepted	4
Rejected	2
Total	23